IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT CHANDIGARH.

Crl. Revision No. 803 of 2001.
Date of Decision: August 20,2007.

Bahadar Ram ...Petitioner

through
Mr. C.M.Munjal, Advocate

Versus

Darshan Singh & Ors.
...Respondents
through
Mr. G.S.Sidhu, Advocate.

CORAM:

HON'BLE MR. JUSTICE SURYA KANT.

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

SURYA KANT,J.(ORAL)

This revision petition is directed against the order dated 1.5.2001 passed by the learned Additional Sessions Judge, Sirsa whereby revision petition filed by the respondents was accepted and they were held entitled to possession of the suit land from the receiver.

It may be mentioned here that the aforesaid order has been passed in the proceedings under Sections 145/146 Cr.P.C. initiated by the Sub Divisional Magistrate, Ellenabad.

It appears that there were certain civil proceedings also pertaining to the same subject property. In those civil proceedings, the respondents were not party. They were, however, aggrieved at certain findings/observations made by the learned trial Court and the first Appellate Court, therefore, they preferred RSA No. 1075 of 1999

in this Court. The same has since been dismissed as not pressed for vide order dated 31.1.2007 after taking note of the statement made on behalf of the respondents herein that since they were not party to the civil suit, they would avail the remedy as may be available to them under the law/statute.

It further appears that after withdrawal of the RSA, as stated above, the respondents have filed a fresh civil suit also which is pending.

Having heard learned counsel for the parties and in the light of the above noted subsequent events/changed circumstances, this petition is disposed of with liberty to both the parties to move an application before the SDM, Ellenabad, who after verification of the facts, ask the receiver to deliver possession of the property to the party from whom the said possession was taken, in accordance with law. Thereafter, the parties shall abide by the judgment of the civil Court in the pending civil suit.

Disposed of.

August 20, 2007. **(SURYA KANT)**
dinesh **JUDGE**